

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

<b>RICARDO CARMICHAELL,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>No. 4:05-CV-1233-JCH</b>
	)	
<b>STATE OF MISSOURI,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER OF DISMISSAL**  
**PURSUANT TO 28 U.S.C. § 1915(e)(2)(B)**

**IT IS HEREBY ORDERED** that plaintiff's action is **DISMISSED**, without prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B).

**IT IS HEREBY CERTIFIED** that an appeal from this dismissal would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3).

Dated this 1st day of November, 2005.

**/s/ Jean C. Hamilton**  
**UNITED STATES DISTRICT JUDGE**